

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In re:

Case No. 09-52512

ALFRED ALLEN KUB, and
DEBRA MARIE KUB,

Chapter 13

Judge Thomas J. Tucker

Debtors.

**ORDER DENYING, WITHOUT PREJUDICE,
DEBTOR'S ATTORNEY'S FEE
APPLICATION (DOCKET # 39)**

This case is before the Court on a fee application filed by counsel for the Debtor on December 9, 2009 (Docket # 39). On January 11, 2010, the Court entered an Order entitled "Order Requiring Debtor's Attorney to Supplement Fee Application, and to File and Serve a 21-day Notice" (Docket # 44). The Order provided, in relevant part:

IT IS ORDERED that no later than **January 15, 2010**, the Applicant must:

- (1) file a supplement to its fee application so that it fully complies with L.B.R. 2016-1(a)(3); and
- (2) file and serve on the Debtors and on all creditors a corrected, 21-day notice of the fee application, and proof of such service. The 21-day notice must state that any party in interest who opposes the granting of the fee application must file with the Court a written response or answer **within 21 days** after service of the notice.

The Court will consider the fee application after the supplement is filed and the new deadline for objections has passed. If no objections are filed within the new, 21-day objection period, the Applicant should then promptly file a new certificate of no response and submit a new proposed order.

To date, the Applicant has done nothing whatsoever to comply with the Order — he has

not filed a supplement to his fee application, and he has not filed and served on the Debtors and on all creditors a corrected, 21-day notice of the fee application. The deadline for doing all of this was more than a month ago (January 15, 2010).

Accordingly,

IT IS ORDERED that the fee application (Docket # 39), is DENIED, without prejudice.

Signed on February 16, 2010

/s/ Thomas J. Tucker
Thomas J. Tucker
United States Bankruptcy Judge